

REMARKS

In accordance with the foregoing, independent claims 1 and 10-13 are amended and new claim 16 is presented.

Entry is requested since the amendments herein should put the application in condition for allowance, no new matter is presented, and further search should not be required.

Accordingly, approval and entry of the amendments to the claims and new claim are respectfully requested.

Claims 1-16 are pending and under consideration. Reconsideration is requested.

I. Traverse of rejection under 35 U.S.C. §101

In item 7 of the Office Action, the Examiner rejects claims 1-9 and 13-15 under 35 U.S.C. §101. (See, Office Action at pages 3-4).

Independent claim 1 is amended herein to recite a method performed by a processing server including "a first questioning performed by a terminal by presenting an input form with a question to a first respondent; . . . a first storing for storing in the processing server. . ." (Amendatory language being underlined). Independent claim 13 is amended in a similar manner.

Applicants submit that independent claims 1 and 13 (and dependent claims 2-9 and 14-15) each positively recite a sufficient tie to a statutory class of invention and comply with 35 U.S.C. §101.

Conclusion

Thus, withdrawal of the rejection of claims 1-9 and 13-15 under 35 U.S.C. §101 is requested.

II. Traverse of rejection under 35 U.S.C. §103(a)

In items 9-11 of the Office Action, the Examiner rejects independent claims 1 and 10-13 (and dependent claims 2-9 and 14-15) under 35 U.S.C. §103 as being unpatentable over Patterson, Lois (Teach Yourself Microsoft Excel® 97 in 24 Hours, 1997) ("Patterson") alone and in combination with Walker et al. (U.S. 6,616,458) ("Walker"). (See, Action at pages 5-10).

The rejections are traversed. Applicants submit that all of the features recited by at least each of the independent claims are not taught by the current art of record.

* * *

Independent claim 1 recites a polling method performed by a processing server including "a first questioning performed by a terminal by presenting an input form with a question to a first respondent; obtaining a free reply by accepting input onto the input form by a first respondent of an unguided reply to said question; a first storing for storing in the processing server the free reply input by the first respondent as a reply option to said question; . . . a second questioning by presenting an input form with said question and the stored free reply to a second respondent after storing the input free reply; and accepting a choice of the stored free reply as a reply to said question on the input form presented to the second respondent." (Emphasis added)

Independent claim 13 has a similar recitation.

That is, a "first questioning . . . a second questioning . . . and "accepting a choice" are performed by a different device than performs a "first storing."

Independent claim 10, for example, recites a polling device including "first storage means for storing a free reply" with the "input by a first respondent in response to a terminal...": That is, a "storing a free reply" and a "input by a first respondent", for example, are performed by different devices.

Independent claim 12, for example, recites a polling computer product for "causing a computer to function as first question means for presenting an input form with a question to a first respondent . . . wherein storing the free reply input by the first respondent being stored by a processing server as a reply option . . ." Independent claim 13 has a similar recitation.

That is "presenting an input form" and "storing the free reply input" are performed by different devices.

* * *

Applicants submit that Patterson does not teach one device, for example, that stores a first free reply and another device that accomplishes a presenting an input form or a second questioning, for example.

By contrast, Patterson merely teaches that data inputted in the past is stored in a same terminal that also displays the stored inputs.

On page 5, lines 4-7 of the Office Action, the Examiner asserts, for example, that Patterson's disclosure on pages 60-61 and 76 of:

MS Excel provides the "autofill," "autocomplete" and "picking from the list" tools, where a previous entry in a cell may be used to fill in a second entry in another cell

teaches "and presenting to the respondent the reply stored in said first storing," as recited by claim 1, for example.

That is, that Patterson merely teaches a same device for a first storing and for presenting the reply that had been stored.

* * *

Nothing in the teaching of Walker overcomes the deficiencies in the teaching of Patterson discussed above.

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Since all of the features recited by each of the independent claims are not taught by the art of record, the rejections should be withdrawn.

* * *

Dependent claims 2-9 and 14-15 inherit the patentable recitations of their respective base claim, and therefore, patentably distinguish over the cited art for at least the reason discussed above.

Conclusion

Since all of the features recited by claims 1-15 are not taught by the current art of record, the rejections should be withdrawn and claims 1-15 allowed.

New Claim

New claim 16 is presented to recite features of an exemplary embodiment in a different fashion. Claim 16 recites a polling system including "a terminal presenting a question to a first respondent, obtaining a free reply by accepting an unguided reply; and a processing server storing the free reply as a reply option to be presented to a second respondent by the terminal."

No new matter has been added and accordingly, entry and approval of claim 16 are respectfully requested.

These, and other, features of claim 16 patentably distinguish over the cited art, and they are submitted to be allowable for the recitation therein.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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